IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15257 of 2007(N)

PETITIONER:

LAMBOCHAN MATHEW, AGED 47 YEARS,
S/O.LATE P.C. MATHEW, PANNIVELIL HOUSE,
VELLASSERY, KADUTHURUTHY,
KOTTAYAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:

TEH DIVISIONAL FOREST OFFICER,
KOTTAYAM.

BY SPL. GOVT. PLEADER SRI.M.P.PRAKASH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C) No. 15257 of 2007

Dated this the 25th May, 2007.

J U D G M E N T

The petitioner was earlier conducting a timber unit at Kaduthuruthy, as an SSI unit, the certificate of which is produced as Ext.P1. The registration as an SSI unit was cancelled in the year 2004, since the petitioner was not conducting the industry for some period. Now the petitioner wants to revive the said industry. The District Industries Centre, Kottayam, is said to have advised the petitioner to submit an application for restoring the registration of the unit, along with a no objection certificate from the Forest Department. Therefore, the petitioner has submitted Ext.P4 before the respondent, the Divisional Forest Officer for a No Objection Certificate. Petitioner, now, seeks a direction to the respondent to consider and pass orders on Ext.P4 application.

2. The learned Special Government Pleader (Forests), submits that the proper remedy of the petitioner is to approach the Central Empowered Committee constituted as per Orders of the Supreme Court. However, petitioner has got a case that since the petitioner only wants to revive a unit which was functioning earlier, it is not necessary to approach the said Committee.

3. I do not propose to go into this controversy now, since it is open to the respondent to consider Ext.P4, and pass appropriate orders, in accordance with the law, as laid down by the Supreme Court.

4. In the above circumstances, I direct the respondent to consider and pass orders on Ext.P4, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN,
JUDGE

nj.